

MEMORANDUM

**To: Corbin Davis, Clerk
Michigan Supreme Court**

From: John J. Ronayne, III , Counsel for the Michigan Association of Broadcasters

Re: Proposed Amendments to Court Rules

Date: September 4, 2012

Dear Mr. Davis,

The Michigan Association of Broadcasters ("MAB") is a Michigan non-profit corporation representing approximately 400 broadcast organizations in the State of Michigan. The MAB joins in and adopts the comments filed this date on behalf of The Detroit News and Detroit Free Press.

In addition to those comments, the MAB suggests that the proposed changes concerning search warrants should not be adopted. The apparent effect of the proposed changes is to preclude public access to such documents.

A request for a search warrant is submitted to the court seeking the exercise of judicial power and authority. The disposition of that request reflects a judicial decision that is hardly administrative or perfunctory. If the request is granted, the issued warrant clearly indicates the extent to which the court has determined to exercise its judicial power. While there are often legitimate concerns about public access to such records, those concerns have historically been addressed by resort to the ability to seal such records under appropriate circumstances. Finally, it should be noted that the proposed changes treat arrest warrants as court records. Arrest warrants and search warrants are clearly analogous and records related to each should be treated the same. In each case, they should be court records.

The MAB appreciates the opportunity to submit its comments.